

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION**

RODNEY SHEPARD,	:	
	:	
Petitioner,	:	
	:	
v.	:	No. 3:21-CV-105-CAR-CHW
	:	
	:	
MARTY ALLEN,	:	Proceedings under 28 U.S.C. § 2254
	:	
Respondent.	:	
	:	

ORDER ON RECOMMENDATION

Before the Court is the United States Magistrate Judge's Recommendation to grant Respondent's Motion to Dismiss and dismiss this case without prejudice based on Petitioner's failure to exhaust his administrative remedies in his ongoing state habeas action. Petitioner did not file an objection, and the time in which to do so has expired. Having considered the Recommendation, the Court agrees with the findings and conclusions of the United States Magistrate Judge. Thus, the Recommendation [Doc. 19] is **ADOPTED** and **MADE THE ORDER OF THE COURT**. Respondent's Motion to Dismiss [Doc. 15] is **GRANTED**, and this case is hereby **DISMISSED without prejudice** for failure to exhaust.

SO ORDERED, this 2nd day of May, 2022.

S/ C. Ashley Royal
C. ASHLEY ROYAL, SENIOR JUDGE
UNITED STATES DISTRICT COURT